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ACCOUNT
OF THE
INNOVATIONS

King (17th)
Made by the

Archbishop of *DUBLIN*;

Both in respect of his

ENTRANCE
ON THE
ARCHBISHOPRICK,

And in regard of the

DEAN and CHAPTER
OF
CHRISTCHURCH.

LONDON:

Printed in the Year MDCCIV.

ACCOUNT
OF THE
INNOVATIONS
MADE IN THE
REPAIRS
OF THE
ARCHBISHOP'S PALACE
AND CHURCH
OF DUNELM



LONDON:
Printed by the T. and A. MOORE,

A Short State of the CASE of the Dean and Chapter of *Christ-Church, Dublin*; setting forth the Innovations made by the Archbishop of *Dublin*; both in respect of his Entrance upon the *Archbishoprick*, and in regard of the *Dean and Chapter of Christ-Church*.

HIS first Step, after his Receipt of Her Majesty's Letter, constituting him Archbishop, was to procure a *Fiant* to be brought to the Great Seal, for passing his Patent after an unusual Form; whereby there was a Clause inserted, that he should be enthron'd, either by the Dean of *Christ-Church*, or *St. Patrick's*, which Clause was never in any Patent before.

The Dean and Chapter of *Christ-Church* stopt this at the Seal, by a *Carveat*, and so the Matter was referr'd to eminent Lawyers; and the Expedient was found, That there should be no mention made either of the Dean of *Christ-Church*, or *St. Patrick's*; but that the Archbishop should be enthron'd by those Persons to whom the Office of Enthroning the Archbishop is by Law and Custom known to belong: And his Agent Dr. *Burridge*, then in *Dublin*, did promise, That the Archbishop should take no Advantage by those Words, or desire to be Enthron'd by the Dean in *Christ-Church*. So that the Dean expected no farther Trouble. But the Archbishop, after his Patent was pass'd, demanded of the Dean to call a Chapter, and to Enthron him; the First of which was never done at the Command of any Archbishop; and for the Second, the Custom, and Usage, were to the contrary from Time immemorial.

In the mean while, the Dean and Chapter of *St. Patrick's* insisted upon their Right of Enthroning the Archbishop, and apply'd to him; but he has hitherto utterly rejected their Claim, which they have for many Ages insisted upon, and obtain'd.

The Archbishop, notwithstanding this, comes into the Throne at *St. Patrick's*, holds his Visitations in the Quire, and his Courts in the Church, in as ample manner as his Predecessors ever did; tho' no other Bishop in *Ireland*, now in being, has Acted without Enthronization. In the mean time, he made a Resolution never to come to Prayers at *Christ-Church*, till he was Enthron'd there; which Part he punctually observ'd, even upon the most Solemn Days, when the Government went thither in State to attend Divine Service.

The Archbishop, in pursuance to such ample Power, claim'd without

out Enthronization, has, in his ordinary Visitation, held at *St. Patrick's*, and adjourn'd to other Places, call'd three of the Prebends of *Christ-Church* there to attend; which being contrary to their Privileges, to be cited out of their Chapter, they earnestly entreated his Grace not to insist thereon, it being contrary to their Oaths to comply therewith; in that all were Sworn, at their Admittance, to maintain the Rights and Privileges of *Christ-Church*, and pay Canonical Obedience to the Dean, who had commanded them not to answer to such Visitations. They carry'd their Charters, and other Authentick Records, to show his Grace that they were enfranchised, and exempt. But not satisfy'd therewith, he requir'd, that they should be shown to some Lawyer, that should give his Opinion thereon; accordingly, *Sir Richard Levins*, the present Solicitor-General, was consulted; who gave his Opinion, with his Reasons at large, That the Prebendaries were not bound to answer to such Visitations. But the Archbishop reply'd, *Sir Richard Levins* might be Learned in the Common Law, but not in the Canon Laws; then made reiterated Promises, that he would desist, if any Doctor of Civil Laws in the Kingdom would give it under his Hand, that they were not oblig'd to answer such Visitations. Therefore they got the Opinion also of the Vicar-General to the Lord Primate, and of *Sir Tobias Butler*, who gave their Opinions in Writing; and both agreed with *Sir Richard* aforesaid, That the Prebendaries were exempt; but his Grace rejected the same, saying, they had mistaken the Case: The Prebendaries then entreated his Grace, for the Peace of the Church, to draw the State of the Case himself, and they would get the aforesaid Opinions on that State of the Case: Which, with much Entreaty, his Lordship drew, and being transcrib'd by his Man, gave the same to *Mr. Clayton*, who desir'd to know if his Lordship would be concluded thereby: Who reply'd, Not, unless they satisfy me with their Reasons; they answer'd, It must be in vain then to consult them farther, unless your Grace, according to your Promise, will be concluded thereby. His Lordship then said, he would immediately proceed against them, and, by the Blessing of God, ruine them, if they did not submit. Accordingly he cited them to appear the next Day at his Consistory-Court: Against which they protested; and *Mr. Clayton* being placed first in the Citation, Appeal'd; and the Cause is now depending before Her Majesty's Court of Delegates in *England*. After all this, the Archbishop, by a Citation dated the First of *April* 1704, calls the Dean and Chapter to appear at his Visitation on the 24th, and affixes another Citation upon the Door of the Chapter-House. This was a Method never us'd by his Predecessors; and as a Citation was unusual, so it contain'd several things destructive to the Privileges and Constitutions of that Church. The Dean upon this consulted with his Chapter, and two of the Members were order'd to wait

wait on the Archbishop, and to desire him to retract his Citation; but that was not done. On the 24th, (which as it happen'd to be the Monday next after the *Easter-Week*, is a noted Day for the Dean and Chapter solemnly to receive the Archbishop for the time being, in Chapter) the Dean and Chapter did assemble, and continu'd sitting till the time of Divine Service; and then went to Prayers, and thence to the Chapter-House. It was the antient Custom for the Archbishop to come before Prayers to the West Door of the Church, and thence to be Sung into the Quire; and, Service ended, to go with them to the Chapter-House. But the Archbishop had sent Word, he would not come to Prayers; but as soon as they were over, he was met by the Dean and Chapter, and conducted into the Chapter-House; and there would have call'd his Visitation. The Dean desir'd him to retract his Citation, before he proceeded any farther; which he not doing, the Dean protested against his Proceedings, and dissolv'd the Chapter, and they all withdrew together with him: However, the Archbishop continu'd his Proceedings, and adjourn'd till the Twenty ninth. In the intermediate Time, the Archbishop holds his ordinary Visitations at *St. Patrick's*, and there calls the Prebendaries of *Christ-Church*, and, among them, *Mr. Clayton*, notwithstanding his Appeal to the Delegates, and makes Orders upon him for not appearing; he likewise issues a new Citation against the Dean, fixes another upon the Church-door, and cites all the Members personally to appear before him; pursuant to which, on the 29th he comes, without his Robes, into the Quire, just as Service was ended, and takes Possession of the Dean's Stall with his Officers about him, while the Dean was absent, and in his Diocese. He calls his Visitation, and proceeds against the Dean as contumacious, and against the other Prebendaries for not appearing; ordering Citations to shew Cause why they should not be Excommunicated. Calls the Vicar-Chorals, and orders them to answer, notwithstanding it was alleg'd to him, that they had sworn Canonical Obedience to their Dean, who had enjoin'd them not to appear, and that they had sworn no Obedience to the Archbishop; and then adjourned to the 23^d of *May* following. But in the mean time, that the Dean and Chapter's hands might be tied up from the Government of the Members of the Church, he inhibits the Dean and Chapter, that, during his Visitation, they shall not proceed against any Member of the Church or Chapter, in the correction of 'em, in any Cause whatsoever; plainly to support his Vicar-General, who being made Rector of *St. Paul's* in *Dublin*, which is a Church belonging to, and under the Jurisdiction of the Dean and Chapter of *Christ-Church*, had forfeited the same, and was depriv'd by the the said Dean and Chapter for not conforming to the Church of *England* and *Ireland*, as requir'd by Act of Parliament, and whose Principles are suspi-

cious on many other Accounts. And this Citation further declares his Power of Proroguing and Continuing his Visitation as long as he pleases; so that the Members of the Church are all at Liberty as long as he pleases. Whereas the Correction of the Members of that Church was always in the Dean and Chapter, and they have exercised that Power from time immemorial, without any Pretence of an Inhibition from any Archbishop. After this, by the Mediation of some worthy Divines, all things seem'd to incline to an Accommodation, and a Proposal was made of having all matters refer'd to two Bishops of *England*, and that Application should be made to her Majesty, that by her Authority all Things relating to the Archbishop and the Cathedral of *Christ-Church*, should be settled, not only at present, but to all Posterity. While these Hopes continued, the Archbishop, having adjourn'd his Visitation to the three and twentieth of *May*, was pleased, in the Time of Divine Service, to come into the Church in his Robes, to take possession of the Dean's Seat; and, Prayers being ended, to call his Visitation, to pronounce the Dean and Members of the Chapter contumacious, and to order the Sexton to break open Doors, and to command Dr. *Burridge*, his Vicar-General, to Enthronize him, which Dr. *Burridge* did accordingly, and then he adjourn'd his Visitation to that day month. Notwithstanding, desirous of Peace, the Dean continu'd the Accommodation; sincerely intended by one Party, when in the mean time the Archbishop and his Vicar-General continued that Visitation; but after Methods as unprejudiced, as any of the former Proceedings. At last, the Dean and Chapter having by their Council drawn up such Heads for a Reference, as they thought no Person could fairly refuse, a Copy of which is annex'd to this Case, the Chapter receiv'd his Grace's determinate Answer; That his Grace conceives the Paper deliver'd in behalf of the Dean and Chapter, imports as much, as if the Dean and Chapter could not refer the Matter in difference without the Queen's License; and therefore, he desired the Chapter to be acquainted, that he would not stay his Proceedings any longer. Nor did he vary from his Word in this Point: For he issued forth a new Citation against the Dean alone, commanding him to cite his Chapter, to attend his Grace on the 3^d. of *August*, whereas never any Dean had any such Commands laid on him, and they are contrary to the Privileges of that Church, as had been declar'd by the whole Chapter: but by this means, the Archbishop would drop all the Proceedings against the several Members of the Church, without any manner of Reason, (if he had Authority) and lay the Burthen wholly upon the Dean; and accordingly upon the said 3^d of *August* 1704. he comes into the Dean's Seat, pronounces him Contumacious, declares him suspended from his Office as Dean, and decrees him to be Excommunicated on the 23^d of the said Month; but made no Rule or

Order

Order concerning any other Member of the Church whatsoever. The Dean had often required the Copies of the Acts of his pretended Visitation from the Register, but cou'd not obtain them, till this last Rule was made; with which the Archbishop order'd him to be serv'd Personally, and to have it publickly affixed upon the Doors of the Church, that it might lose nothing of a sufficient Publication: but these Acts carry in themselves sufficient Reasons why they shou'd be so long deny'd; for never were any things attested by Men of Credit, that were made up so evidently to serve a turn, by adding to, diminishing from, and altering the Truth, as may be prov'd by a multitude of Witnesses.

Therefore to sum up all, when an Archbishop brings a new Form of a *Fiant*, when he demands to be Enthron'd, where his Predecessors have not been Enthron'd: When he refuses Enthronization in the Church, where his Predecessors have constantly been Enthron'd. When, without Enthronization, he takes upon him all Power, that other Bishops in *Ireland* never use without it. When he calls the Prebendaries of *Christ-Church* to his Ordinary Visitations out of their Territories, contrary to their Privileges, and to an Inferiour Jurisdiction, and proceeds towards Excommunication for not obeying him. When he cites the Dean and Chapter by Citations without Precedent, which contain Matter destructive to their Jurisdiction and Privileges. When he calls a Member of the Chapter to his Ordinary Visitation; notwithstanding, that Matter depends before her Majesty's Court of Delegates in *England*. When he Aggrieves the Dean and Chapter by farther unusual Citations, Monitions, Adjournments, and other pretended Powers, never assumed by his Predecessors. When he inhibits the Dean and Chapter from correcting their Members, contrary to all Precedent, and to the Destruction of their Jurisdiction: When he takes Possession of the Dean's Stall in the Quire, which is his undoubted Freehold. When in the Stall he calls the Dean and the several Members of the Chapter to answer to his Visitation in that Place; whereas, there never was any Pretence of a Visitation made, but when they were actually Assembled and Sitting in Chapter as a Body. When he commands the Inferiour Members of the Church to answer to his Visitation in that Place. Notwithstanding it was alleg'd, that the Dean had commanded the contrary, and they had sworn Canonical Obedience to him, and had never taken any such Oath to his Grace. When he commands the Servants of the Church to break open Doors in the absence of the Dean, when he adjourn'd such his Visitations to times uncertain. When he makes Prorogations of it by his Vicar-General, who has no Pretence to Authority in that Precinct. When he sends even his Apparator to make such Adjournment. When he rejects the most fair Proposals of Accommodation which could be, for no other Reason than lest he should pay

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too much Deference to the Queen. When he issues a new Citation to command the Dean to cite and assemble his Chapter, which Citation is as much Irregular and Illegal as the former. When, in the Dean's own Stall, he not only goes on and pronounces him Contumacious, but suspends him from his Office as Dean, and decrees him to be Excommunicated the same Month. When he call'd the Members of the Church without Reason, and so unaccountably as to dismiss them without ever purging the Contempt of his pretended Authority. When his Register delivers such Copies of his Acts of his Visitation, as should not be thought to be perus'd by his Lordship, since they contain manifest Untruths. When, to add greater Force to his Citations, he firmly and strictly commands his Officers in the Queen's Name (*Regio Nomine*) to execute his Commands upon the Dean and Chapter of the Church. When by his pretended Suspension of the Dean, he, as far as in him lies, would subvert the Discipline, Order, Dignity, Constitution and Royal Charter of that Church, whereof the Dean, under her Majesty, is Head. When he pretends to excommunicate the Dean of her Majesty's Royal Chapel, neither regarding him in that Station as the Servant of Her Majesty and the State, nor as a Person who has had the honour of being a Privy-Counsellour above these twenty Years, nor as a Peer of the Realm of *Ireland*, nor as a Bishop of that Church. It may be humbly hoped, That the Dean and Chapter of *Christ-Church* may not be thought to have done any thing but their Duty in not submitting to such Innovations: Since all they do, is to endeavour to maintain, as far as in them lies, the Antient Constitution of their Church; either as they have already done, by having Recourse to Her Majesty's Courts of Delegates, or by Petitioning to Her Royal Person, to take into Her immediate Protection that her Antient Church, and the Members of it; which owe themselves, and all they have, to the Bounty of Her Majesty, and Her Predecessors, their Patrons; who for many Ages have endow'd, supported, repair'd, protected, govern'd, and enfranchis'd the same; as being their Royal Church, for the resort of the State, to the performance of Divine Service.

*A Copy of the Articles for a Reference, that were rejected
by his Grace the Archbishop of Dublin.*

Whereas there have been many Disputes, Controversies, Suits, and Proceedings for some time past, and still are depending, between the Most Reverend Father in God *William* Lord Archbishop of *Dublin* on the one Part, and the Right Reverend Father in God *William* Lord Bishop of *Kildare*, Dean of the Cathedral Church of the Holy Trinity *Dublin*, and the Chapter of the same, on the other Part; concerning the Archbishop's Jurisdiction over the said Cathedral Church,
and

and the Dean and Chapter, and Members thereof; and concerning the Rights and Privileges of the said Cathedral Church, and the Dean and Chapter thereof; and it being likely, that many more Disputes and Controversies may arise, to the great Prejudice of the Church. Therefore to the end the said Disputes, Controversies, Suits and Proceedings may be amicably accommodated to the Establishment of Peace, and the Honour of God, it is mutually concluded and agreed, by and between his Grace *William* Lord Bishop of *Dublin* aforesaid on the one Part, and the Right Reverend Father in God *William* Lord Bishop of *Kildare*, Dean of the Cathedral Church of the Holy Trinity *Dublin*, and the Chapter of the same, on the other Part; that all Things and Matters betwixt them, shall be referred to the final Determination, Arbitration and Award of such Persons, and in such manner as by these Presents shall be hereafter mentioned. And in order thereunto it is mutually agreed, That with all convenient speed they shall make Application and Humble Suit to the Queen's Most Sacred Majesty, to obtain Her Licence, Letter, Warrant, Commission, *Dedimus Potestatem*, or such other Authority, as the Learned in the Law shall judge requisite to make the said Arbitration more effectual and binding, both at Present and to all Posterity. And whereas there is a Cause depending in Her Majesty's Supreme Court of Delegates in *England*, under the Title of the Revd. *John Clayton*, Prebendary of *St. Michans Dublin*, Party Appellant, and his Grace the Lord Archbishop of *Dublin*, Party Appellate. Such Cause, as it now stands before the said Delegates, with the Proceedings of the same, shall be referred to the final Determination and Award of such Persons, and in such manner, as by these Presents shall be hereafter mentioned. And whereas his Grace the Lord Archbishop of *Dublin*, has, by his Citation dated *16th* *June* *1681*, cited the Right Revd. the Dean and Chapter of *Christ-Church* to his Visitation, which Visitation he has continued by several Acts to the Day of the date hereof; against which Proceedings of his said Grace, the said Dean and Chapter have protested. It is likewise agreed, that all such Proceedings on either side shall be left to the final Determination, Arbitration, and Award of such Persons, and in such Manner, as by these Presents shall be hereafter mentioned; and that all Acts and Proceedings, in the Cause betwixt the aforesaid *John Clayton*, and his Grace the Lord Archbishop, shall be subject and taken to be annexed to these Presents, and true Copies of all Acts and Proceedings, relating to the Citation and Visitation aforesaid, shall by his said Grace the Lord Archbishop of *Dublin* be annex'd unto these Presents, and the Protests of the said Right Revd. Dean and Chapter, shall in like manner be annex'd thereto; and it is likewise further agreed, that the Humble Suit and Application, that shall be made to Her Majesty, shall be, that the Persons who shall make such

final Awards, Arbitrations, and Determinations, as aforementioned, shall be two Bishops of the Realm of *England*, the one to be chose by the said Lord Archbishop of *Dublin*, the other by the said Lord Bishop of *Kildare*, Dean of *Christ-Church*, and either Party shall take care to acquaint the Person by him nominated, with the purport of this Instrument, on or before the day of *next* and in case the Archbishop or Bishop nominated, shall refuse to act according to the purport of these Presents, then the Party who nominated such Person, shall, within a Month after such Refusal, nominate some other Archbishop or Bishop of the Realm of *England*, in his room and stead, to proceed in this Matter. And it is further agreed, that in case the two Arbitrators so nominated, cannot agree in the determination of the Matters hereby to them refer'd, so as to publish the same under their Hands and Seals, on or before the that then further Application and humble Suit be made to Her Majesty, that she will be pleas'd to chuse a third Person to be Umpire, finally to determine the Matters aforesaid. And if the Arbitrators shall think fit to have Records, Writings, Instruments, or Copies of them, or to have Witnesses examined thereupon, or to any Matters of Fact, for their better Information; that then both Parties do and shall submit to such Directions from time to time, as they shall receive from the said Arbitrators. It is likewise agreed on by the said Parties aforesaid, that all Proceedings whatsoever, relating to the Matters or Causes hereby refer'd, shall cease and be suspended until such time as the purport of these Presents shall be accomplished or render'd of none Effect. And the said Parties do enter into Bonds to each other in the Sum of to stand to the Determination, Award, or Umpirage, as is above-mentioned, and to perform all the Articles, Covenants, Clauses and Agreements in these Presents contained.

A Continuation of the CASE of the Dean and Chapter of *Christ-Church*, *Dublin*; setting forth the farther Innovations made by his Grace the Archbishop of *Dublin*, in regard of the said Dean and Chapter.

MUltitudes of Oppressions, will multiply Cases; and where a Matter is began with Violence, it is always pursued by the same Methods: This makes it necessary to represent a farther State of the Case of the Dean and Chapter of *Christ-Church*, and the Innovations and Hardships that have happen'd to them. The last Case left the Dean under Suspension, and the Decree of an Excommunication,

cation, to be pronounc'd the next Day, that the Pretended Vistation was adjourn'd to, being the 23^d of *August*. And this dreadful Sentence being levell'd at the Dean alone, as is set forth in the former Case, (altho' it is certain, that all the Members of the Body equally suffer, when any Wound is given to the Head) and his Grace having declar'd publickly, that he must humble the Dean, and would Excommunicate him: The Dean, as a sure Refuge and Shelter from such impending Danger, fled to that Relief, which the Laws of Nature and Nations allow and prescribe; which is an Appeal to Her Most Sacred Majesty, in Her Supream Court of Chancery in *England*, where at home She relieves the Oppress'd by Her Justice, as She does abroad by Her Army: The Dean farther consider'd, that the Censures of the Church ought not to be disregarded, altho' they might be violently, unjustly, and rashly Interpos'd; and tho' he should have been Excommunicated in such manner, he might in his Conscience believe, that before God such Sentence was void and null, and that it could have no Effect upon him: Yet he resolv'd to avoid any Scandal it might give in the Eyes of Men; since the World would easily presume, that there was some greater Crime, which occasion'd such heavy Censures, than that of preserving the Rights of Her Majesty's Royal Cathedral. The Dean likewise consider'd, that many of his gravest Friends would have Communicated with him, and treated him as a Bishop, notwithstanding such Censure had past; whereby a kind of Schism in the Church might have been created; and therefore would by all means avoid whatever might give so great an Offence to the Church. To this end, he not only, with all convenient speed, dispatch'd one of the Reverend the Prebends to *London* for Advice, that if it should not be thought improper, the Case might be laid at the Feet of Her Majesty; but he likewise within the due time, legally interpos'd his Appeal; and upon the 22^d day of *Aug.* (being under a Necessity, not to stay for the return of an Answer from *England*) and for the Reasons above-given, he sent his Proctor with two other Gentlemen to the Archbishop, who was then in the Country, to serve him with the Appeal; but, tho' they communicated their Business to his Grace's Gentleman and another Servant, and endeavour'd, as far as in Decency they might, to gain Access to his Person, yet they were denied Admittance to his Grace by his Servants, who said they had positive Orders for it: Whereupon they returned to the Dean, who immediately wrote a short Letter to his Grace, to this Effect, That the Business of those Persons, was to deliver his Appeal, and he hop'd his Grace would not deny him the Right of the Queen's Subject: Which Letter was carried that same day by the Proctor, and sent up to his Grace by one of his Servants, (he being still deny'd Access to his Grace) to which his Grace reply'd in Writing, that the next day his

his Court was to be held, where he might expect Justice, or to that purpose: Upon which the Proctor left the Appeal in his House, acquainting his Grace's Servants with the purport of it, desiring them to see it deliver'd to his Grace.

This indirect Answer was not expected by the Dean from his Grace; for he thought inferiour Judges (not being without their Frailties) ought to give due Honour and Deference to Appeals made to their Superiours; and that the Queen's Supream Authority always commanded Respect in Affairs of the Church, among Persons who own'd Her, next under God, to be Head of it. This Denial of Common Justice, put the Dean still more upon his Guard: He thought of the great Charge given him, of the Dignity of that Church intrusted with him, of those Privileges which his Predecessors enjoy'd, and which he himself had maintain'd for many Years. And therefore, weighing all these Reasons together, resolv'd that he would not be excommunicated in Her Majesty's Royal Cathedral, till such time as Her Majesty's Royal Pleasure should be known, whether he deserv'd it, or ought to submit to it. Whereupon, the next day, being the the 23^d, the day determined for his Excommunication; the usual Prayers at Six a Clock in the Morning being ended, the Dean commanded the Church-doors to be lock'd, and a place call'd the old Chapter-House, (now in disuse) to be shut up likewise, because the Archbishop pretended to hold his Visitation there: About Ten in the Morning the same day, his Grace came attended by Dr. *Burridge*, his Register, and other Officers into the Precincts; and there, in the place call'd *Christ-Church-yard*, Dr. *Burridge* pretended to adjourn the Visitation to St. *Patrick's* in the Afternoon: This Adjournment had some things in it very particular; for it was either made by the Authority of the Archbishop sitting in his Coach, or by Dr. *Burridge* pretending an Authority to visit in the Presence of the Archbishop; and it was made to St. *Patrick's* Church, which has a peculiar Jurisdiction, and so great a one, that the Archbishop himself, when at the same time he issued his Citation to the Dean and Chapter of *Christ-Church*, and another to the Dean and Chapter of St. *Patrick's*, yet he voluntarily withdrew that of St. *Patrick's* (as by their publick Acts will appear;) and tho' his Grace was intreated by *Christ-Church* to retract his Citation, yet he proceeded upon that to *Christ-Church* after the violent manner, of which the Dean and Chapter now complain: Besides, upon all Occasions, where the Dean and Chapter of St. *Patrick's*, have any Business with the Dean and Chapter of *Christ-Church*, the Dean and Chapter of St. *Patrick's* always come to *Christ-Church*, who have always paid them that Honour and Deference of Respect, as the Antienter and Nobler Foundation; and it was never known, that the Dean and Chapter of *Christ-Church* were cited to St. *Patrick's* upon any Occasion whatsoever,

ever, much less upon a Visitation. In the next place, his Grace at the same time had appointed his Consistory Court, and Sitting there in Person, it was difficult to know, when the Consistory was held, and when the Visitation: However, the Dean's Proctor was there, and his Grace ask'd him, what his Business was with him at *Rathmine* (that being the place he was at in the Country) the day before? Who answer'd to this effect, That it was to serve his Grace with an Appeal from the Dean and Chapter of *Christ-Church*, and not being admitted to see his Grace, had left it with his Servants in the Buttery, or some such Place: Whereupon his Grace reply'd, You might as well have left it in the House of Office, where I never go: *A very decent Place for an Appeal.* He was pleas'd to call the Dean, and adjourn to *Christ-Church*, betwixt the hours of 10 and 12 upon *Saturday* Morning following. In the mean time, the Dean becoming still more apprehensive of some Furious Resolutions, that might be put in Execution against him, not thinking himself and Chapter with their Liberties safe only by shutting up the Church, assembled the Jury of the Precincts, who are bound to hinder all Routs, Riots, and other Invasions of their Privileges; and they were of Opinion, that the Dean should issue out his Warrant to shut the Gates of the Liberties, and to suffer no Person to enter, whom they might suspect would Disturb, or Invade their Rights. The Dean was very tender in this Point, for the *Wednesday* before, and this *Saturday*, were both Market-days, in which the Inhabitants of the Precincts must needs suffer in the Interruption of their Trades; and therefore he resolv'd then, that whatever Damage they might sustain, whenever Quiet, which God grant soon, should be restored to the Church, should be faithfully made up to them. The Dean was farther induc'd to take this Course, because he was credibly inform'd, that it had been a Method practis'd since the Reformation by some of his Predecessors, and that thereupon all Pretences to a Foreign Jurisdiction ceas'd. In the intermediate time, the Dean's Proctor, as before, waited on his Grace to do his Duty as to the Appeal, but was not admitted. The next day, being *Saturday*, his Grace with his Attendants came into *Fish-Shamble-Street*, which is a publick Market, and found the Gates of the Precincts shut, where stopping, the Dean's Proctor did his Office again, as to the Appeal: And Dr. *Burridge* adjourn'd to *St. Patrick's*, betwixt the hours of Two and Four in the Afternoon. The Dean does not know what notice the Lord Mayor and City of *Dublin* may take of his Grace's exercising a Jurisdiction in their Liberties, and how far it may encroach upon them; but he is resolv'd, that the good Correspondence between *Christ-Church* and the City, shall be continued as long as he is Dean, and doubts not but they know how to defend their own Rights. In the Afternoon his Grace being Seated in his Consistory Court, the Dean's Proctor

did again his Duty, as to the Appeal; during which, his Grace order'd the Visitation to be call'd, and afterwards told the Proctor, if he had any thing to move, he would hear him; he answer'd, he came to wait on his Grace in his Consistory Court, and acknowledged no Visitation, or Words to that effect. His Grace went on, by what Power unknown, to put several Inhabitants of the Precincts to their Oaths, and to take their Examinations about the shutting of the Gates of *Christ-Church*; and one of them did ingenuously confess, that they were afraid of their Lives, because they were told, that in a Case of his Lordship's in *Londonderry*, when Bishop thereof, several Men had been killed; and these, or Words importing as much, being repeated, made his Grace say, that this was a Cause begun and carried on by Lies. After which his Grace continued his Consistory Business, and then adjourn'd either one or both to the *Wednesday* seven-night following in the same place.

From hence a great many Inferences may be made; but it is left more particularly to all impartial Persons to consider, Whether the impending Censure of an Excommunication, is not to be dreaded by every good Man, especially a Bishop of the Church? notwithstanding he may be innocent, and the Sentence unjust; least Scandal may arise by such Sentence both to him and the Church, and so the Labours of his Pastoral Duty be rendred ineffectual, and the Discipline and Censures of the Church in time become little regarded. Whether a Bishop ought not, by all means possible, that are lawful, to defend himself from a Temporal Death, and consequently from Excommunication, which, if rightly inflicted, is a Spiritual one. Whether any inferiour Judge, who regards keeping a Conscience void of Offence towards God and towards Man, would refuse a just deference to an Appeal to Her Sacred Majesty? Since it is the Voice of Law and Nature, and what every *English* Subject must submit to, after all Shifts and Evasions? Whether so much as an indecent Expression may be used concerning any Appeal, which is to be accepted in the Honour of her Sacred Majesty? Whether Persons without Commission may call Visitations, and adjourn them where they please, of Persons, over whom they have no Authority, and for which they have no Commission? Whether it is just in a Judge to have two Persons before him in equal Circumstances, to dismiss one, owning he has no Authority over him, and to proceed against the other with the uttermost Rigour? Whether such Confusion of Courts, Jurisdictions, Times and Places, may not bring a Contempt upon all Judicial Proceedings in Ecclesiastical Affairs, unless it were in the Reign of Her most Gracious Majesty, who has taken the Church more immediately into Her Protection.

A Third Continuation of the Case of the Dean and Chapter of Christ-Church, Dublin; setting forth the Innovations which are still made by his Grace the Lord Archbishop of Dublin, in regard of the said Dean and Chapter of Christ-Church.

THE Wise Man says, *There is a Time for all things*; and the Dean of Christ-Church hopes, That he may have some Time of Rest from the Trouble which his Grace the Lord Archbishop of Dublin gives him in the Government of his Precinct, and the Exercise of his Function; but at present he finds little sign of it from his Grace, unless he will let him usurp an Authority over his Person, and those Rights and Dignities which he has receiv'd from the Crown. It is true, that new References have been propos'd to the Dean, and that by his much esteem'd and honour'd Friends; but he is now too much appriz'd of what Advantages were taken of his sincere Intentions, in the Advances that were formerly made to that purpose: For there is a mean sort of Artifice which some Men use, that when Reason is wanting on their side, and consequently Law and Justice, then they desire that all things should be put to a Reference; and by this they deceive their honest and good-natur'd Friends. Now, tho' a Reference be a peaceable Word, and a good Thing, yet it is not always rightly understood, nor rightly apply'd; for some Men define it, to be losing half to save half; so that if a Person will make any Pretence to a Right, he thinks his Referrees must be sure to give him something; and therefore to establish this Maxim, the Law is term'd difficult, tedious, chargeable, and doubtful; and 'tis said, the justest Cause may miscarry by ill Management, and the stronger Interest of a Party. But the Dean having propos'd such a Reference, as may justly be term'd one, he thinks when that is rightly consider'd, no one will blame him for not condescending to any other. He is troubled indeed by some suggestions of Scandal that may arise to the Church, but does declare, he can, with a quiet Conscience say, *We be to him by whom such Offence comes*; and does protest against all Principles that cause mutiny, and do love Broyls. And thus the Dean's Case stood upon the 6th of September, when by Occasion of adverse Winds, he could have no Account by the Pacquets what was done, either in relation to his Appeal, or Petition humbly offer'd to her most sacred Majesty in England. However, he proceeded, upon his former Motive, not to suffer the Archbishop to enter his Precincts, at the Hours in which he might pretend to hold

hold his Court or Visitation, and therefore order'd all the Gates and Doors to be shut as formerly; resolving likewise, that no Sentence of an unjust Excommunication shou'd be pronounc'd by the Archbishop, seemingly to hinder him from being present in her Majesty's Royal Cathedral; there in Person to do his Office and wait on the Government, in Solemnizing the Glorious Action which her Majesty's Army, under the Conduct of the Duke of *Malborough*, had performed, in preserving Her Allies, and the Protestant Interest of *Europe*. In an Universal Joy, it might have been thought no reasonable thing wou'd have been deny'd by a good Subject, when even Reprieves and Jail-delivery have been granted upon such Occasions, much less a Defiance to an Appeal to her Sacred Majesty in a Cause of Excommunication, which carries along with it Consequences, not only Temporal, but Spiritual. But in short, the Dean's Proctor going to do his Duty upon that day in the Consistory Court, was bid to take care what he did, lest his Grace should take an occasion to withdraw his Licence, or words to that effect: And accordingly, when the Consistory was call'd, moving in the Business of the Appeal, in the behalf of his Client, after the pretended Visitation was adjourn'd to another Market-day, the 13th of *September* following: His Grace told him he should have offered that during the Visitation, and that if he persisted any longer in that matter, he would Suspend him (or words importing as much.)

The same Night happen'd another Accident, which might have occasion'd more Disturbance; which is the Dean's constant Endeavour to prevent. The whole Matter is most briefly set forth by the following Memorandum of the Dean's.

Dublin, Septemb. 7th, 1704.

Memorand' **T**Hat when the Officer came over for a Thanksgiving for the late Victory over the *French* and *Bavarians*, I in Council, acquainted the Lords Justices, in presence of the Archbishop of *Dublin*, that I would take care of a Preacher for that Day; and immediately I engaged Dean *Francis*, my Ld. Lieutenant's Chaplain, and Prebendary of *Christ-Church*, to preach the Sermon, as being a Man very fit to undertake it: Notwithstanding this, the Archbishop sent word to Dean *Francis* the Night before the Thanksgiving-Day, that he would preach. I went this Morning to wait on the Lords Justices, and informed them what had happen'd, and withal, told their Excellencies that Dean *Francis* was ready, and that I was prepar'd my self, lest any Accident should happen upon so solemn an Occasion; And since I had so sufficiently provided for it, I could not part with the Interest I had in it, except the Archbishop would himself desire it, or the Lords Justices would desire or command

mand it for him ; whereupon their Excellencies were pleas'd to say, they did desire it, and Command that the Archbishop should Preach in the Queen's Chapel ; whereupon I acquiesced, and the Archbishop Preach'd.

Under my Hand this 7th Day of Septemb. 1704.

William Kildare Dean of *Christ-Church*, and Syndic of
the Dean and Chapter of *Christ-Church*.

The Dean knew very well that the Governments Chaplains always Preach'd upon State-days, but will never be wanting himself upon such Occasions, so far as it may not interfere with the Commands and Rights of the Government ; for her Majesty's chief Governours of *Ireland* have often done That Royal Cathedral the Honour to interpose in its good Management ; but without such Interposition, the Dean knows that the Rule and Care of it, are in himself incorporate, with his Chapter. One of the Dean's Predecessors, since the Restauration, when an Archbishop demanded the Pulpit, and would have preach'd, would not suffer him, but preach'd himself, That Archbishop not thinking fit to insist upon it any farther.

Thus the Dean of *Christ-Church* must still lie under a pretended Suspension from his Office by the Archbishop, who as far as in him lies, continues his Inhibition, that no Member shall be corrected by the Dean for any Fault whatsoever, or pay that Obedience which they have Sworn to him ; that their undoubted Right of Nomination, Collation and Induction to vacant Livings, (as in the Case of *D. B.* mention'd before) shall be not only deny'd, but obstructed. His Grace keeps the terrible Decree of Excommunication still hanging over the Dean's Head ; and tho' the Church and Precincts have Gates and Barrs, yet the Dean has, from several Reports spread abroad, reason to apprehend that they may be but a weak Defence against a Person who looks upon an Appeal to her Sacred Majesty to be no Safeguard. The whole seems to be very odly timed by his Grace, to be so violent for Persecution in her Majesty's Dominions, - when we are praising God for a Victory, that by his Blessing may establish Liberty, Peace, and the free Exercise of Religion in Foreign Nations.

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A Fourth Continuation of the CASE of the Dean and Chapter of Christ-Church, Dublin; setting forth the Innovations which are still made by his Grace the Lord Archbishop of Dublin; in regard of the said Dean and Chapter of Christ-Church.

Plutarch says in some Part of his Morals, ' That *Plato* being desired by the *Cyreneans* to prescribe them good Laws, and to settle their Government, refused to do it, saying, That it was a hard thing to give them any Law whilst they enjoyed so much Prosperity; since nothing is so fierce, arrogant and untameable, as a Man that thinks himself to be in an happy Condition; Therefore certainly a Prosperous Man, who is Judge in his own Cause, will, as *Plutarch* says, be very unwilling to receive Advice, as a thing seeming to command him, least the Force of Reason should seem to lessen his Power by obliging him to submit to Truth. It may be consider'd how far this may be some Person's Case, who in a Cause of Jurisdiction, proceeds to the Excommunication of the Bishop of *Kildare*, and Dean of *Christ-Church*, and will admit of no Appeal, since that may do Justice, and other Judges may not be of his Opinion; but he is sure he can give Sentence for himself. The Delegates in *England*, tho' their Authority is Establish'd under the Queen's Supremacy by Law, to some Persons seem troublesome and unnecessary; yet they appear to be of so great Use, that there is scarce any Case in which the best Practitioners have not had recourse to them, and they will be esteemed much more necessary when a great Man will be both Judge and Party. And thus stands the Case of the Dean and Chapter of *Christ-Church*. The Archbishop of *Dublin* pretends to a Jurisdiction over them, and will let no Person determine it but himself, and therefore does all he can to avoid being serv'd with an Appeal; tho' he knows he must receive it at last, and that there is no denying it, and that no Man should delay Justice, but submit to the Queen as Supream in Causes Ecclesiastical: And therefore all Books of Practice, teach Persons (if common Decency did not) how to receive an Appeal with Honour. In the Cause of *Mr. Clayton*, the Archbishop would never grant Apostles; nor since it has been before the Delegates in *England*, has not desisted from proceeding against him, as may appear by the Citation annex'd; which being serv'd upon Persons of great Learning and Value, is remarkable for its Latin and Sense, and for making use of the Queen's Authority against her self. In the Case of the Dean and Chapter,

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his Grace was often serv'd with an Appeal by the Dean's Proctor, and might oftner have been so if he had not been threatned. In the intermediate time the Dean had an Account, that the Petition of him and the Chapter, praying her Majesty to take them into hre Royal Protection, was presented to her Majesty; who, tho' indispos'd in her Health, was pleas'd to receive it, and return a Gracious Answer, no Illness hindring her Majesty from doing good to her Subjects. At the same time, the Dean received an Authentick Copy of the *Fiat* granted by the Lord Keeper of *England*, upon his Petition for a Commission of Delegates, which he would have deliver'd to his Grace by his Proctor; but he refus'd to do it: The Dean commiserating another Man's Misfortune by his own, did not insist upon his Proctor's going to the Archbishop with it, and therefore wanting his Proctor, sent another Gentleman, and the best Servant he had, to acquaint him with it; but they could gain no Admittance, for their Message seem'd to be known to the Archbishop, and his Gentleman told them they must come to the Court in which neither of them were Practitioners. The Day coming, to which the pretended Visitation was adjourn'd to St. *Patrick's*, betwixt the hours of Nine and Ten in the Morning, the Dean expecting that the Court would be over before the time of Prayers in his Church, resolv'd that except something should be done extraordinary by his Grace, that the Service should not be omitted: But his Grace having the same day call'd a sort of a Synod of his Clergy, as he usually does by Letters, once or twice a Week, instead of going to Court at the stated time, continued in Consultation with them, and came not near the Court till after Twelve, which occasion'd the shutting up of the Gates of *Christ-Church*, and the Precincts till that time. And the Dean has heard that the Archbishop did then adjourn his pretended Visitation to the same place at St. *Patrick's*, upon the Monday following, being resolv'd to give the Dean no Rest in the midst of a Vacation, when his Council and Friends were out of Town, nor to suffer the Inhabitants of the Precincts to have any Benefit of their Trades. The Dean likewise sent a Copy of the *Fiat* upon the Petition to Dr. *Burridge*, his Grace's Vicar-General, who could not be found.

The Reason why the Dean would have serv'd the Vicar-General, was, because he had acted so in Calling, Continuing, and Adjourning the pretended Visitation of the Dean and Chapter of *Christ-Church*, that the Dean could not but look upon him as much his Visitor as the Archbishop; but would have been glad to have seen Dr. *Burridge's* Commission, either for Visiting or Enthroning.

Notwithstanding the Dean and Chapter's former Cases, the Cry still continues a Reference, a Reference, Peace and Accommodation; very good Words in their proper Places. Now the Dean and Chapter

forth a Reference in Print; which, altho' not drawn with Art, was done with Sincerity. This Reference was approv'd of in Chapter, and the Acts are full of it; notwithstanding which, the Dean has been represented as a Person that would hear of no Accommodation.

Now it is left to the Wise and Learned of the Law to determine, whether a Bishop of *Ireland*, according to the Laws, has any Right to Jurisdiction, till he is legally Enthron'd? Whether a Bishop of *Ireland* must not act according to his Patent? Whether the Lord Chief Justice *Bolton* did not understand the Law, when he wrote concerning *Præmunire's*, and what happen'd to the Bishop of *Bath and Wells*, in Respect of the Deanary, which was the King's Donative? Whether Vicar-Generals can visit without special Commission; and whether all are not Principals in a *Præmunire*, as well as in some other Cases?

A Copy of the Citation serv'd upon the Members of the Chapter of *Christ-Church*, and put up there.

GULIELMUS, Providentiâ Divinâ, Dublin Archiepiscopus, Hiberniæq; Primas & Metropolitanus, universis & singulis Clericis & Literatis quibuscunq; in & per tot' Dioces' nostr' Dublin ubilibet constitut' Salutem: Cum nos juxta Juris exigent' & laudabiles Ecclesiæ & Regni Consuetudines Ecclesiam Cath' Sanctæ & Individuæ Trinitatis Dublin, ejusdemq; Decan' & Capitul' tam in Capite quam in Membris, in Domo Capitul' dict' Ecclesiæ Cathed' 24 die Mensis instantis Aprilis (qui dies natus hujusmodi Visitat' extitit) visitare decrevimus, cum Continuatione & Prorogatione dierum & loci (prout moris est) Monitionemq; nostram ad Effect' predict' emanavimus Justitiâ mediante. Cumq; varia Membra dicti Capituli, dictæq; Ecclesiæ Cathedralis, se à dictâ nostrâ Visitatione absentârunt, sub Prætextu (ut nobis datum est intelligi) quod non personaliter moniti sunt; idcirco Nos ad Petitionem Procuratoris nostri Officii legitimè in hac parte assignat' omnes & singulos infra scriptos, tam Membra dicti Capituli quam dictæ Ecclesiæ Cathedralis, personaliter si sic apprehendi valeant monend' & citand' fore, alioquin per hujus nostri publici Ediçti sive Citationis Viis & Modis affixion' valvis exterior' dictæ Ecclesiæ Cathedralis Sanctæ & Individuæ Trinitatis Dublin, ejusve Domus Capitularis, aliussve Loci soliti nostræ Visitationis prædictæ. Vobis igitur conjunctim & divisim committimus, firmiterq; Regio Nomine præcipiendo mandamus, quatenus libet seu citari faciat peremptores omnes & singulos, quorum Nomina & Cognomina inferius scribuntur, quod personaliter compareant, & eorum quilibet compareat coram Nobis, nostre Vicario in spiritualibus

Spiritualibus Generali, aut alio Iudice in hac parte competente quocunque, in Domo Capitulari Ecclesie Cathedralis predictae, aliove Loco quo solebatur aut per Ecclesie predictae Consuetud' tenemini, comparere 29 viz dies Aprilis predicti, Horas inter decimas & duodecimas antemeridianas, Visitationem nostram Canonicam subitur' (prout Canones & Leges Ecclesie, aut Consuetudines dictae Ecclesie exigunt) procuraciones ratione dicta Visitationis nostrae omniaq; alia quaecunque de Jure debita solutur' ulteriusq; factur' & receptur' quod justum fuerit in hac parte: In cujus Rei Testimonium, Sigillum nostrum Archiepiscopale Dublin praesent' apponi fecimus, Dat' 26 Aprilis, An' Dom' 1704.

Johannes Sale R^gisterius.

Præcentor Petrus Drelyn-court, L. D. Thesaurar' Guliel' Williamson, A. M. Cancellarius Johannes Travers, S. T. D. Archidiaconus Dublin Enoch Reader, S. T. D. Præbendarius Sancti Michael Johannes Francis, A. M. Præbendarius Sancti Michan Johannes Clayton, A. M. Præbendarius Sancti Johannis Theophilus Harrison, S. T. D. Johannes Warral, Clericus. Robertus Hodge. Carolus Taylor. Josias Wilkinson, Clericus. Thomas Finall. Daniel Kosingrave. Henricus Swords. Symon Buckton. Carolus Brickington. Johannes Harris. Georgius Rogers. Johannes Sale, Registerius.

Locus Sigilli.

Gulielmus Dubliniensis.

A Fifth Continuation of the Case of the Dean and Chapter of Christ-Church, Dublin; setting forth the Innovations which are still made by his Grace the Lord Archbishop of Dublin, in regard of the said Dean and Chapter of Christ-Church.

IT is a very unhappy thing to be Dean in any Place, where the Archbishop of Dublin has been, or is concern'd. When he was Prebendary of St. Patrick's, there was a noted Controversie between him and the Reverend Dr. Worth, who was then Dean; but it was decided by the Law, and the Stalls, which are now in the Chapter-House, were built by his Grace, as a Testimony of the Dean's Superiority, and are at present so many standing Monuments of his Temper. The Cases of the several Deans of Derry, are too lamentable to be publish'd: The present Dean of St. Patrick's has been refus'd the Right of Enthroning him, tho' his Predecessors have always done it; and has been cited at the same Time, and in the same unusual Manner, that the Dean of Christ-Church was. And the present Dean of Christ-Church is an Instance of the Archbishop of Dublin's continuing that Temper against all Deans, with which the Minister

Minister of St. Warbro's first began. The Dean cannot but give due Honour to the Queen and her Laws, and bless Almighty God that there is Justice to save him from the Excommunication of that Man, under whose Sentence of Excommunication Dr. L. M. has lain for ten Years without Relief; (not to speak of a Dean of *Derry*) for now his Grace's Hands are ty'd up by an Inhibition from Her Majesty's Delegates in *England*. The last Case gave an Account, That the Dean sent a Gentleman, and his own best Servant, to acquaint his Grace with the *Fiat* from the Lord Keeper in *England*, upon his Petition; and the answer they receiv'd was, That they should come to his Court; in which neither of them were Practitioners. However, upon the 12th of the said Month, the said Persons waited on his Grace again; and, as he was going out of his Coach into the Court, they presented him with an attested Copy of the *Fiat*: After which his Grace going into Court, order'd the Visitation of the Dean and Chapter of *Christ-Church* to be call'd; after which his Grace's Proctor mov'd that the Dean might be excommunicated, and then the Visitation was adjourn'd to the 6th of *November* following. And so the Dean must have continu'd suspended (as far as in the Archbishop lay) and his Grace not having appointed any Method by which the Church should have been taken care of, either as by a Sub-Dean, or regulating how Chapters might have been call'd, Leases let, Precincts govern'd, Members corrected according to his pretended Suspension; and so, for so many Days, Weeks, and Months, Her Majesty's Royal Cathedral must have lain in the utmost Confusion; which shows the paternal Affection which proceeds from his Grace's pretended Visitation Power: And 'tis remarkable, that during his whole pretended Visitation, and his Inhibition, he has not taken upon him to look into any one Miscarriage, that there might have been, or to make one Order for the good Government of the Church, even not to correct Members when in manifest Contempt of his pretended Authority; but only to enthrone himself by his own Vicar-General, without taking any Oaths; and from Court-Day to Court-Day to persecute the Dean, and by that means oppress the Inhabitants. Some Days after the last Adjournment of his pretended Visitation, the Dean receiv'd the Inhibition, with which he sent his Gentleman to serve his Grace, who acquainted his Grace's Servant with his Business from his Lord; but he could gain no Answer, nor Admittance: But the same Day in the Evening, expecting his Grace's coming forth, the said Gentleman shew'd him the Inhibition, and deliver'd him a Note containing the Substance of it, which his Grace was pleas'd to throw upon the Ground; and being taken up by a Reverend Divine, who would have return'd it again to the Gentleman, but he told him it belong'd to his Grace, and he had done his part therein; whereupon the Reverend Divine,

as 'tis presum'd, gave it to his Grace; and it was not left upon the Floor.

The several Acts of the pretended Visitation, since the Suspension of the Dean, have been often deny'd; but it is hop'd, since the Inhibition and Monition have been serv'd upon the Register, the Delegates may have the Honour of seeing them in better Order, than those which were formerly deliver'd to the Dean.

Now, tho' it has been said of the first Case, and of the Petition to Her Majesty, and is presum'd will be said of them all, That they are a Bundle of Lies, yet that is no Answer; they are a true State of the Case of the Dean and Chapter of *Christ-Church*, as will be clearly made out as occasion shall require; tho some things are but lightly touch'd upon, and others omitted: As for Instance, That his Grace being call'd by Writ to Parliament, as Archbishop of *Dublin* and *Glandelau*, sent his Monition to the Dean and Chapter of *Christ-Church* to chuse upon the *Præmonentes* Clause; which they had never done since the Reformation, and never before upon any Monition from an Archbishop; because the Prior of *Christ-Church* had a Writ to Parliament as well as the Archbishop. And when the Writ for Convocation came to his Grace, then his Monition was only with the Stile of Archbishop of *Dublin*. That he has issued out publick Citations, and orderd them to be serv'd upon the Bishop of *Kildare* and Dean of *Christ-Church*; whereas no Ecclesiastical Courts, and in many Cases no other Courts, proceed with Peers, but by way of Letters: That he did license a Curate in Mr. Clayton's Absence, whilst he was prosecuting his Cause, then depending before the Delegates in *England*, and when he had a licens'd Curate and Reader before, and had given no Nomination to his Grace for another, according to the Canon; and how all that was manag'd to make it seem as if Mr. Clayton had left his Church destitute: Whereas it is the antient Right of the Dean and Chapter, and has been so for Time immemorial, to supply the Prebendal Churches, when the Dean and Chapter have given leave to the Prebendaries to be absent in *England* upon their necessary Occasions: That when the Dean and Chapter had legally nominated and inducted a Clerk to the Rectory of *St. Paul's*, vacant by Dr. Burridge's not Reading his Assent and Consent to the Book of Common Prayer, and performing other things, according to the Act of Uniformity in that Case provided, in above a Year's time after his Church was consecrated, and Service in it without the Surplice; his Grace has pretended to a Right of Institution to that Rectory; and since such Induction has, by Methods unrepresented, allow'd of Impediments which happen'd a Year before he was Archbishop of *Dublin*; and lately taken Oaths and Subscriptions from Dr. B. in order to maintain Possession against the Dean and Chapter's Right: That he said the Spirit of Rebellion

was got into the Dean and Chapter, but he would conjure it out; that he call'd the Prebends, his Chaplains; the Chapter, his Chapter; the Records, his Records; the Pulpit, his Pulpit, and that none should preach there without his Leave; the Vestry, his Vestry, therefore he would have the Doors broke open; the Servants, his Servants: All which Matters, and a great many more, if his Grace thinks fit, shall be more fully handled in a Case by it self.

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